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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,984	06/30/2003	Lee Weinstein	200303570-2	1129

7590 09/28/2005

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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WOO, STELLA L

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/609,984	WEINSTEIN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Stella L. Woo	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 and 14-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>06/30/2003</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12, 14-28 are rejected under 35 U.S.C. 102(e) as being anticipated by White et al. (US 6,069,890, hereinafter “White”).

Regarding claims 1-4, 8-10, 25-28, White discloses a communications system (Figure 4) comprising:

a telephone (telephone 100);

a data network (internet 106);

a device (gateway router 104 coupled to internet 106 and telephone 100 via LEC 102);

a communications routine executable in the device to control communications of voice data between the telephone and the data network (gateway router 104 includes processor interface 206 and router 204; Figure 7);

a speech recognition routine (gateway router 104 includes voice recognition 208 which receives a spoken domain or host name of the called

party with which a telephone-to-computer voice communication is established;  
col. 10, line 53 - col. 11, line 18).

Regarding claim 5, telephone 100 and gateway router 104 are connected to a Local Exchange Carrier 102 (col. 7, lines 45-64).

Regarding claims 6, 7, 14-18, POTS telephones 56 and 58 can communication via Internet 84 or PSTN 57 (Figure 2).

Regarding claim 11, telephones 56 and 58 are coupled to PSTN 57 (Figure 2).

Regarding claim 12, White discloses a system for connection to a data network (Internet 106), comprising:

an interface circuit (gateway router 104) capable of being coupled to a telephone network (LEC 102) having a telephone (telephone 100);

a controller (processor interface 206 adapted to communicate voice data between the telephone 100 and the Internet 106 and to receive a voice command at voice recognition 208, which receives a spoken domain or host name of the called party with which a telephone-to-computer voice call is placed; col. 10, line 53 - col. 11, line 18).

Regarding claims 19-20, 22, White discloses a method of placing network telephone calls, the method comprising:

establishing a connection with a data network (telephone 100 requests an Internet telephone call to a computer by dialing the prefix \*83; col. 10, lines 30-55);

receiving voice data from a telephone, said voice data contains voice commands (voice recognition 208 receives a spoken domain or host name of the called party with which a telephone-to-computer voice call is placed; col. 10, line 53 – col. 11, line 18);

interpreting the voice commands from the telephone (via voice card 208);  
and

transferring the voice data from the telephone to the data network (voice communication from telephone 100 is passed over the Internet 106 to the called party; col. 11, lines 36-40).

Regarding claim 21, voice data is received over local loop 103 (Figure 4).

Regarding claims 23-24, the called party is alerted of the telephone-to-computer call via a distinctive ring signal (col. 11, lines 41-47).

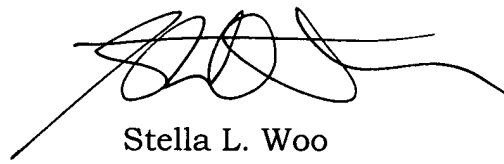
### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Komuro, Chan et al., and Deng show other relevant Internet telephony systems.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (571) 272-7512. The examiner can normally be reached on Monday-Tuesday, Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Stella L. Woo', with a long horizontal line extending to the left.

Stella L. Woo  
Primary Examiner  
Art Unit 2643